

**ABUSE IN CARE ROYAL COMMISSION OF INQUIRY  
STATE REDRESS INQUIRY HEARING**

**Under** The Inquiries Act 2013

**In the matter of** The Royal Commission of Inquiry into Historical Abuse in  
State Care and in the Care of Faith-based Institutions

**Royal Commission:** Judge Coral Shaw (Chair)  
Dr Andrew Erueti  
Ms Sandra Alofivae

**Counsel:** Mr Simon Mount, Ms Hanne Janes and Ms Danielle Kelly  
for the Royal Commission

**Venue:** Level 2  
Abuse in Care Royal Commission of Inquiry  
414 Khyber Pass Road  
AUCKLAND

**Date:** 25 September 2020

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**TRANSCRIPT OF PROCEEDINGS**

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1 **Hearing opens with waiata and karakia tīmatanga by Ngāti Whātua Ōrākei**

2 (10.01 am)

3 **REGISTRAR:** This sitting of the Royal Commission is now in session.

4 **CHAIR:** Ngā mihi o te ata ki a koutou katoa. Haere mai koutou. Welcome to everybody who's  
5 just arrived in the witness box. Can we just be clear who we have here. Gina and we have  
6 Tanya. Thank you. And we have David and we have Jamie, is that right? And we have by  
7 screen Hope who's beaming in from Ōāmaru, is that right? Yes, okay thank you.

8 I'm going to direct this next part which is taking the affirmation to Gina and to  
9 Tanya and to Hope. So, Hope, can you hear me, if you just wave if you can hear me?  
10 Okay, thank you. I'm just going to say it once and I'm going to ask each of you if you  
11 accept the affirmation. Do each of you solemnly, sincerely and truly declare and affirm  
12 that the evidence you will give before this Commission will be the truth, the whole truth  
13 and nothing but the truth?

14 **MS GINA SAMMONS:** Yeah.

15 **MS TANYA SAMMONS:** Yeah.

16 **MS CURTIN:** Yes.

17 **CHAIR:** Thank you. I'm going to turn you over to Ms Beaton. Thank you Ms Beaton.

18 **MS BEATON:** Mōrena Commissioners, tēnā koutou katoa, welcome. We've just had  
19 introductions of you all so thank you for coming today. You should have, Gina and Tanya,  
20 in front of you a copy of your statement, correct?

21 **MS GINA SAMMONS:** Correct.

22 **MS BEATON:** What we're going to do today is, for the benefit of the Commissioners, Gina is  
23 going to read the majority of her statement to you and to those in the room and from time to  
24 time Tanya and Hope are going to contribute their thoughts and feelings about various  
25 aspects of the evidence. So can I just start by asking you some introductory questions  
26 perhaps of each you. Gina you're here with your partner David?

27 **MS GINA SAMMONS:** Yeah.

28 **MS BEATON:** Where do you live?

29 **MS GINA SAMMONS:** Whangārei.

30 **MS BEATON:** How old are you now?

31 **MS GINA SAMMONS:** 44.

32 **CHAIR:** Only if you wish to.

33 **MS BEATON:** Sorry, very good point. How old were you when you were taken in care?

34 **MS GINA SAMMONS:** Two years old.

- 1 **MS BEATON:** What about you, Tanya, you're here with your partner Jamie?
- 2 **MS TANYA SAMMONS:** Yeah, Warkworth.
- 3 **MS BEATON:** How old were you when you were taken in?
- 4 **MS TANYA SAMMONS:** Three.
- 5 **MS BEATON:** You had an older sister Alva?
- 6 **MS GINA SAMMONS:** Yeah.
- 7 **MS BEATON:** She, I understand, was a year older than you when you were taken into care?
- 8 **MS TANYA SAMMONS:** Yeah.
- 9 **MS BEATON:** And Alva died when she was 26?
- 10 **MS GINA SAMMONS:** Yeah.
- 11 **MS BEATON:** And Hope, you are Alva's daughter. Can we hear you? You have your daughter  
12 with you, right?
- 13 **MS CURTIN:** I do.
- 14 **MS BEATON:** Her name is Aubrey Alva after your mum, is that right?
- 15 **MS CURTIN:** Yes.
- 16 **MS BEATON:** We can hear her, hi Aubrey.
- 17 **CHAIR:** We won't ask her to take the affirmation.
- 18 **MS BEATON:** Welcome Aubrey. All right, so your statement says at paragraph 2, and I'll just  
19 brief this for you, that you were taken in care as very young children and raised by a foster  
20 family where you all suffered physical, psychological and sexual abuse. And your  
21 evidence today is about your experiences in trying to make claims to MSD [Ministry of  
22 Social Development] for their failures to protect you as children, that's why you're here.
- 23 **MS TANYA SAMMONS:** Yeah.
- 24 **MS GINA SAMMONS:** Correct.
- 25 **MS BEATON:** Gina, perhaps if you could start reading from paragraph 3.
- 26 **MS GINA SAMMONS:** "Our evidence is also on behalf of our older sister Alva".
- 27 **CHAIR:** Just feel free to take your time.
- 28 **MS BEATON:** I think we're going to have a photograph. Can you see that photograph Gina and  
29 Tanya?
- 30 **MS GINA SAMMONS:** Yeah.
- 31 **MS BEATON:** Can you tell us who we see there?
- 32 **MS GINA SAMMONS:** I'm on the left, Tanya's in the middle and Alva's on the right-hand side.
- 33 **MS BEATON:** How old do you think you guys are in this photo?
- 34 **MS GINA SAMMONS:** I think I was five, Tanya was six and Alva was seven.

1 **MS BEATON:** So Alva is the main reason that you wanted to make a claim in the first place,  
2 Gina?

3 **MS GINA SAMMONS:** Correct. We wanted justice for Alva and for her kids, to make  
4 someone—to make sure someone was held accountable for the abuse that we all suffered  
5 and that eventually killed Alva and left her kids without a mum. We wanted to make sure  
6 her kids had something.

7 “It's now been 19 years since Alva died and I started trying to get information and  
8 get some redress for the abuse we suffered while we were in care. It has been 13 years  
9 since I first lodged a claim with MSD and six years since Tanya made her claim. I received  
10 a settlement of sorts for my claim after almost eight years but Tanya's claim is still going.  
11 She received an offer but for substantial(sic) less than my settlement. And so she turned  
12 that down and is still waiting for the next step. We have not had any resolution for Alva  
13 and her kids as they refuse to accept these.

14 Alva [died] almost 20 years ago when she was 26. Around a year earlier she had a  
15 heart valve replacement to repair damages from undetected rheumatic fever she had when  
16 she was young.

GRO-C

GRO-C

GRO-C

Alva left behind a two-year-old son and a five-year-old daughter.

19  
20 Before she died Alva wrote letters that talked about the pain of her childhood as a  
21 State ward which she felt she couldn't escape and how she had had enough to spend her life  
22 running and never wanting to let her children be taken into care”.

23 **MS BEATON:** Gina, we've got those letters. In a few minutes we're going to read those. But  
24 perhaps if you could just keep reading from paragraph 7, explain to the Commissioners a  
25 bit more about Alva and what she suffered as a child.

26 **MS GINA SAMMONS:** “Alva had suffered as well as we all did in our abusive home. She told  
27 us later that she was regularly sexually abused at the hands of our foster brother. She was  
28 always protecting us younger girls even though she was just one year older than Tanya and  
29 just two years older than me. She said to me once that she let herself be sexually abused  
30 because she thought if she put up with it then maybe it wouldn't happen to us and that we  
31 wouldn't have to endure it.

32 As she was growing up she got into trouble for stealing and lying and was sent to a  
33 boarding school. We still to this day don't know exactly where she went or what happened  
34 to her.

1 As an adult, Alva continued to move a lot and was in trouble for stealing and  
2 lying. She said in her letters that this was because it was what she needed to do to survive  
3 on the streets.

4 Alva resorted to substance abuse to cope with her pain. When she had her own  
5 kids, she struggled and eventually both were taken out of her care. Her daughter was taken  
6 to live with her father when she was about 18 months old. Her son was born not long  
7 before she got very sick herself and he was taken into CYFS [Child, Youth and Family  
8 Services] care at about a year old.

9 Not long before her death, Alva had spoken with us about her abuse and we were  
10 told—and we told that—we told her that me and Tanya had also been sexually abused in our  
11 foster home. We believe when she found out that she hadn't saved us from that abuse, it  
12 broke her.

13 We both took her death pretty hard. As you can see it still does. I know it was  
14 really hard for me. I had been living with Alva before she died. I know she struggled but  
15 she had always looked out for me. After her death Tanya tried to apply for custody of her  
16 son but CYFS have sent him to a relative's in Australia without notifying her". He lived  
17 with Tanya and then with me and then my aunty took him to Australia.

18 I just want to add there, [GRO-B] was living with me and at the time I was a solo  
19 mum with two kids. I was only very young and I couldn't have him, so my aunty offered to  
20 raise him. I have lived with her in Australia for I think about five or six months and I really  
21 liked it there. She wanted to keep my kids when I came home, but I told her she had plenty  
22 of her own. When the opportunity came I thought it would be better for [GRO-B] to go there  
23 as they could offer more than we could. So she raised him for us.

24 "Alva has now two grandkids which she will never meet and who will never meet  
25 her".

26 **MS BEATON:** Thank you Gina. I wonder if we could take the photograph down. We're now  
27 going to put on the screen a letter that Gina wrote to you—sorry, Alva wrote to you Gina.  
28 You've entrusted me to read this to the Commissioners. This is something—explain to us,  
29 you found a book, is that right, after Alva died?

30 **MS GINA SAMMONS:** [GRO-C]  
31 [GRO-C] So she wrote these letters a week before she died. I found them  
32 after her funeral.

33 **MS BEATON:** And the one we can see there I think this is the first one, is that right?

1 **MS GINA SAMMONS:** Yeah.

2 **MS BEATON:** It's addressed to you. "Gina please sit down and read this, please, thank you Alva.

3 Each day I feel like I'm going around and never getting anywhere. What am I to do?  
4 Looking at life now I can answer all the questions that you have probably always wanted to  
5 ask me. Like for one, maybe, why can't I stay in one place and have a life not always  
6 moving? I would have to say from very little I was running away. Never around from 10  
7 years old, boarding school, running away again. I could survive on the road because of  
8 stealing and lying.

9 Never had anyone around to help me, tried giving you girls maybe a good life. All  
10 I ever care for and be happy is that you girls, you most of all, that you are okay, it makes  
11 me okay. Sis, I mean Gina, it's like in life I have been through a lot and I don't know what  
12 the fuck I'm doing. Doctors would tell you I'm killing myself off. Friends would ask you  
13 for help. You, too sad to even let you know, mum would kill me etc.

14 I care about you all but maybe someone should just, fuck knows. I have a lot of  
15 reasons to think it may be better. Then I think what if it was one of youse, what would  
16 I do? I would break down and lose it, I know that. Fuck everyone.

17 Sis I wish me and you could sit down and talk but I understand, it's okay, that's why  
18 I'm writing. It's just good to see you standing on your own two feet, and you go hard Gina  
19 monster.

20 Fuck you were a little girl, rocks everyone at someone's head. Remember the goat  
21 in Dargaville when you were young? Dad ran over it. Remember the tree on fire and when  
22 dad used to do the beehives. That day we went with him and the bees went on to the dog.  
23 It ran out and we locked you out of the car. The bees went everywhere and so did you.  
24 Fuck I'm even still laughing about it.

25 Anyway, I love you all and I don't want to hurt any of you but it's all up to me in the  
26 end. I have to go to the doctors because I am really going to fuck up myself. Still not  
27 doing it right. Sis I'm off so I'll see you all. Alva".

28 And then Gina there was a second note and a poem and we're going to read that now  
29 too. This is the same document page 1. Thank you.

30 "To whom it may concern. My name is Alva and I am 26 years old. Now under the  
31 care of Whangārei Social State Ward care. Like I said, I am 26 years old and still go  
32 through the pain of my childhood. I can't believe nobody has investigated Whangārei  
33 Social Welfare itself because they are the ones taking the children away from families and  
34 putting them into worse placings to where some of them die.

1           Like I said, I'm 26 years old and it's still going on in Whangārei. But see my family  
2 was Auckland until the State wards at three years old, went from a home to Whangārei  
3 State ward. There is no way I'll let a child I know go into their care over my dead body.  
4 I've got to stop so please help me find a way to bring justice. Thank you, Alva".

5           And then her poem. "This is a life, a life of hell inside the walls they call a cell.  
6 There's lots of people good and bad, just dreaming of a life they wished they had. Life  
7 doesn't have to be this way, just take it step-by-step every day. Let's talk about you, your  
8 future, dreams about you, what you want to do, I want to get rid of all this pain and maybe  
9 get out and try again. But there's one point you have to see, that life ain't worth living if  
10 you ain't free". She's signed that with her name.

11           So thank you, Gina and Tanya and Hope, for entrusting the Commission with those  
12 very private thoughts obviously.

13           So Gina, we're up to page three. I wonder if you could continue reading to us from  
14 paragraph 14.

15 **MS GINA SAMMONS:** "I was two when I was taken in care. Tanya was three and Alva was  
16 four. We don't remember our home before care, but understand that we were not well  
17 looked after by our biological parents. After we were removed from their home we were  
18 placed in a home for a short period and then placed with a foster family.

19           Our foster family was a European immigrant family. The parents had four older  
20 children from previous marriages. They also had one other foster child, the same age as  
21 Tanya who they later adopted. We weren't ever adopted. We stayed with the foster family  
22 until we were discharged from care. Our upbringing with that family was really difficult  
23 and abusive.

24           One of the big things for us was that we were always moving, we moved sometimes  
25 like eight times in the first three years and somewhere around 15 times over the 13 years in  
26 care between different cities and towns, living in Auckland, Whangārei, Kaikohe, Kaitāia,  
27 Herekino, Ruāwai, Dargaville, Hikurangi and Whananāki and having to change schools all  
28 the time.

29           We were always given second-hand clothing and usually didn't have the correct  
30 school uniform or didn't have enough clothes in winter. We often didn't have lunch to take  
31 and we weren't allowed to go to school camps or trips and didn't get school supplies. For  
32 example, Tanya remembers having a friend's mum pay for her to go to school camp and  
33 buy her fabric so she could do sewing at school. It was only when we were quite a bit older  
34 that we found out that CYFS were paying for foster parents board and clothing..."

1 **MS BEATON:** I'm sorry to interrupt you, but we just need to slow down a little bit with your  
2 reading if that's okay?

3 **MS GINA SAMMONS:** Yeah. "...clothing allowance and other costs that were supposed to be  
4 spent on us. It seems that these costs went towards trips and other expenses for our foster  
5 mother and other debts that she had made.

6 Often one of us, especially Tanya, would be made to stay home from school to help  
7 with chores or help look after our foster sister's kids while our foster mother went away and  
8 looked after her shop.

9 Because of our absence from school and of moving so often, we weren't able to  
10 make friends or get settled at school. We never had long-term relationships with other  
11 people, including any social workers. Our education also really suffered. At the end of her  
12 fifth form Tanya was told she wasn't allowed to sit school certificate because her  
13 attendance had been too low. She really wanted to re-sit, but after re-enrolling and doing  
14 most of the first term, the family moved again and she was made to move with them and  
15 switch to a new school. She lasted three days in that school and then gave up and dropped  
16 out. I also dropped out of school before completing school certificate".

17 **MS BEATON:** Can I just pause you there, Gina, and perhaps ask both of you, how do you think  
18 that that lack of schooling when you were children has affected you in your adult lives?

19 **MS GINA SAMMONS:** I still get mocked today for my reading and spelling.

20 **MS TANYA SAMMONS:** Yeah, me too.

21 **MS BEATON:** What about the moving around, so many moves you had when you were children?

22 **MS GINA SAMMONS:** At the time it felt like the norm. I didn't know any different. Now that  
23 we're older and now realise that that caused a major effect on who we are now.

24 **MS BEATON:** Tanya, how do you—

25 **MS TANYA SAMMONS:** It's building that connection with people. That part I find really hard,  
26 yeah.

27 **MS BEATON:** As an adult?

28 **MS TANYA SAMMONS:** Yeah. Yeah, I mean as Gina said, as a kid it's, you know, when you're  
29 younger you don't really pick up on that sort of thing, but as you gradually get older, you do  
30 find you—it's quite hard to make that connection with people because you're so used to  
31 moving all the time. So yeah, I mean most people still have their college friends that they  
32 still connect with. We don't have that.

33 **MS BEATON:** All right. So Gina, what we'll do now, if you could perhaps read paragraph 20

1 because that relates to you and then I might ask Tanya about the next couple of paragraphs,  
2 okay?

3 **MS GINA SAMMONS:** We were physically beaten by our foster father, sometimes quite badly.

4 I remember a time when I was caught smoking being beaten so badly that I wet myself and  
5 had black eyes. A social worker visited a few days later and I had to hide under the bed so  
6 the social worker wouldn't see my black eyes. I just remember hearing the foster mother  
7 telling the social worker that I was staying at a friend's house".

8 **MS BEATON:** Who was it that told you to hide under the bed?

9 **MS GINA SAMMONS:** Our step-mum.

10 **MS BEATON:** Did that happen on just that one occasion or more than one?

11 **MS GINA SAMMONS:** Multiple occasions.

12 **MS BEATON:** Tanya, paragraphs 21 and 22 relate to your experiences. You had a cat, I  
13 understand, which you were very fond of and when you were about 13 or 14 the cat made a  
14 mess in the garage one day, do you remember that?

15 **MS TANYA SAMMONS:** Yeah.

16 **MS BEATON:** And your foster father found that?

17 **MS TANYA SAMMONS:** Yeah.

18 **MS BEATON:** And what did he do?

19 **MS TANYA SAMMONS:** He pretty much picked up my cat and just smashed it on the concrete  
20 and just killed my cat in front of me. He was my—sort of my go-to if I was upset about  
21 something.

22 **MS BEATON:** Right. And how did you feel about that at the time?

23 **MS TANYA SAMMONS:** Absolutely devastated, but, yeah, then he just turned around and told  
24 me if I wanted to keep him skin him and then made me bury him in the back garden. So,  
25 yeah.

26 **MS BEATON:** You in the statement at paragraph 22 both talk about receiving beatings also from  
27 your foster mother but less frequently. Although sometimes still quite violent. Is that  
28 right?

29 **MS TANYA SAMMONS:** Yeah.

30 **MS BEATON:** Tanya, you said there in the statement that you got a severe beating after telling  
31 your foster brother that you were being sexually abused.

32 **MS TANYA SAMMONS:** Yeah.

33 **MS BEATON:** And were you injured as a result of that?

34 **MS TANYA SAMMONS:** I probably could say I may have actually had broken bones, yeah,

1 I couldn't actually get out of bed for a couple of days. The family went off to Kai Iwi  
2 Lakes, I was made to stay home because I couldn't get out of bed. The school holidays had  
3 rolled over at that time, so it gave me a few weeks to heal up, but yeah. It was pretty  
4 severe, yeah.

5 **MS BEATON:** Gina has said in the statement, I'll read it to you "Tanya shut down after that, she  
6 didn't complain about things and did what she was told". Would you agree with that  
7 observation?

8 **MS TANYA SAMMONS:** Yeah.

9 **MS BEATON:** Thank you. Gina, I wonder if you could start reading again from paragraph 23.

10 **MS GINA SAMMONS:** "Our foster mother would also often threaten us with violence or use our  
11 foster brother to hurt us when she thought we needed bringing into line. Our foster brother  
12 would rub his fist with his knuckles into our scalps until our scalps were rubbed raw or  
13 sometimes weeping. I was in form one, around 11 years old, I came home and decided to  
14 kill and pluck the chickens and put them in the freezer. I wasn't trying to be naughty, I had  
15 been asked to prepare a chicken before and thought that I was being helpful".

16 I'll just add something in there. When it means by prepping the chicken is I've had  
17 to kill the chickens and pluck them and prep them for dinner. So one day when I came  
18 home from school I thought that I'd be helpful and I'd prep them, so I thought I'd kill all the  
19 chickens and put them in the freezer so they would be ready.

20 "My foster brother was allowed to punish me. I remember being thrown into the  
21 pantry and falling down all the shelves and then being thrown across the dining room table.  
22 We knew to expect that we would be hurt if we stepped out of line".

23 **MS BEATON:** Other than that example you've just given, were there other times when your  
24 foster brother used violence against you at the request of your foster parents?

25 **MS GINA SAMMONS:** All the time, even if we answered him back, if we laughed at him, if we  
26 did anything that he thought was out of line he could punish us.

27 **MS TANYA SAMMONS:** He was given pretty much the full right to discipline us in whatever  
28 way he felt fit at the time.

29 **MS BEATON:** How much older than you was he?

30 **MS TANYA SAMMONS:** I'm not sure how much older.

31 **MS GINA SAMMONS:** I would say maybe 13 to 15 years older than us.

32 **MS BEATON:** I see, okay.

33 **MS GINA SAMMONS:** Much, much older. Am I on 24?

34 **MS BEATON:** Yes, para 24.

1 **MS GINA SAMMONS:** "There was also a lot of psychological abuse and manipulations in our  
2 household, especially from our foster mother. She would do things like hide money in our  
3 bag and then do a bag check before we went to school. When the money was found we  
4 would get in trouble and be made to stay home from school if we didn't—if we didn't refuse  
5 to take it she often humiliated us in front of our school friends. Tanya had a medical  
6 bladder problem which she had had an operation for but had not fully resolved. At a  
7 birthday party when she was around 10 our foster mother made her put on a nappy in front  
8 of all of her friends calling her filthy. In my case, I had a urinary reflux when I was a kid  
9 which meant I often had wet the bed. I remember my foster mother hanging my undies on  
10 the mailbox so everyone on the school bus could see that I had wet the bed".

11 Can I take a break?

12 **MS BEATON:** Yes.

13 **CHAIR:** We'll adjourn.

14 **Adjournment from 10.34 am to 11.00 am**

15 **CHAIR:** Have you recovered a little bit Gina?

16 **MS GINA SAMMONS:** A bit.

17 **CHAIR:** We appreciate how difficult this is for you and we're really grateful for the effort you're  
18 putting into this, so do know that we're listening very carefully. Thank you, Ms Beaton.

19 **MS BEATON:** Thank you. So, Gina, if you could perhaps start again by reading for us please  
20 from paragraph 25.

21 **MS GINA SAMMONS:** "The physical abuse was usually hidden from others outside the  
22 household. As we already mentioned above, we remember sometimes being made to hide  
23 from social workers or stay home from school if we had visible markings of the beatings.  
24 It's also not something we would have talked about with social workers, because we moved  
25 so much, we had many social workers throughout our childhood and we don't remember  
26 seeing any of them very often. Usually they would only speak to us in front of our foster  
27 mother. Sometimes they visited us at home or at school and spoke to us on our own, but  
28 never more than a few words. Neither of us remember ever having any long conversations  
29 with any of them".

30 **MS BEATON:** Can I just pause you there and ask you a question, Gina and Tanya. On those  
31 times when social workers might have spoken to you on your own, were you able to tell  
32 them what was happening?

33 **MS GINA SAMMONS:** We didn't dare tell them what was happening because if it got back to  
34 our foster mother or her and her son we would have got a hiding for it.

1 **MS BEATON:** Okay. Thank you, so we're at paragraph 26. This is under the heading of "Sexual  
2 abuse".

3 **MS GINA SAMMONS:** "All three of us were also sexually abused in our foster home. We didn't  
4 talk about it with each other and so didn't know the extent to which we all had similar  
5 experiences until much later. In fact, we still haven't completely compared experiences, but  
6 Alva did confess some to us much later when we were adults.

7 I was first sexually abused by one of our older foster brothers when I was about six  
8 years old. He forced me to give him blow jobs. Because I was so young I still can't recall  
9 which brother it was, all I remember was blonde hair. Both older brothers had blonde hair.

10 I was also regularly raped by our adopted brother from when I was in form one or  
11 two until I was 14. I had told our foster mother about it once, but she didn't believe me.  
12 Our adopted brother told her I was having an epileptic fit—I'll just add in there, at the time  
13 during intermediate I was diagnosed with epilepsy—and he was just helping me, she  
14 believed him and thought I was dreaming. Later I reported it to social workers and to the  
15 police.

16 At the time our brother had been ordered to stay in another care residence because  
17 he had been getting into trouble stealing and doing other things. However, he came home  
18 on weekends and would assault or rape me. On Friday night when I knew he was coming  
19 home for the weekend, I ran away to a friend's house. Tanya told the foster mother why I  
20 had ran away. My foster mother found me and took me to the care worker at the home that  
21 my brother was at. The next day I was taken to police where I made a statement and had a  
22 video interview. I told police what had been happening and also talked about some specific  
23 occasions when friends had been around and had seen some of the abuse.

24 After I made my report, it seemed like nothing happened. My foster brother was  
25 still allowed to come home on weekends. I have seen my file that it says there was a  
26 meeting with me, but I don't remember seeing the police officer ever again after making the  
27 statement or getting any follow-up from police.

28 A couple of months after I made that statement, when still nothing had happened,  
29 I ran away from home and lived on the streets. I was 14. I broke into caravans and sales  
30 yards and slept there and under church steps, sometimes at friends' places and I had to steal  
31 to eat. I got pregnant with my then boyfriend at 15 while I was still living on the streets.

32 Years later after requesting my files, I saw the police report of my complaint. It  
33 made me furious".

1 **MS BEATON:** I'll just pause you there, Gina, I think we're going to bring that document up,  
2 document four. I think paragraph on the 23 September. Can you see that Gina?

3 **MS GINA SAMMONS:** Yeah. "During the course of this inquiry its priority changed  
4 considerably. At best I loath to take on matters of juvenile sexual offending at the risk of  
5 other adult/child investigations being delayed".

6 **MS BEATON:** You said in your statement, Gina, that this made you furious. And in the  
7 paragraph above the one you've just read the police officer refers to interviewing your  
8 foster brother who denied any sexually inappropriate behaviour and he said—the letter says,  
9 "As a result of his denials and the inconsistencies earlier mentioned, court action was not  
10 considered". Did they question any of your friends to your knowledge?

11 **MS GINA SAMMONS:** No.

12 **MS BEATON:** Who witnessed the incidents that you told them about?

13 **MS GINA SAMMONS:** Not one of them.

14 **MS BEATON:** How did you feel when you saw this?

15 **MS GINA SAMMONS:** If I had a guarantee that I wouldn't have gone to jail I would have slit his  
16 throat for justice. I didn't get it from the police, and felt that that cop just didn't want to do  
17 his job.

18 **MS BEATON:** And in your statement at paragraph 32 you say that the records on your CYFS file  
19 that you saw, you received, suggest that they thought in some way you had consented.

20 **MS GINA SAMMONS:** Yeah.

21 **MS BEATON:** How old were you when this was happening?

22 **MS GINA SAMMONS:** I think it first started when I was in form one, so that's 12, 11, 12,  
23 somewhere around there.

24 **MS BEATON:** Paragraph 33 I might ask you about, Tanya, because it relates to you, the sexual  
25 abuse you suffered from your oldest foster brother when you were about six.

26 **MS TANYA SAMMONS:** Yeah.

27 **MS BEATON:** It says there that you confided in the second brother about what had happened.

28 **MS TANYA SAMMONS:** Yeah.

29 **MS BEATON:** And he told your foster mother.

30 **MS TANYA SAMMONS:** Yeah.

31 **MS BEATON:** And then what happened?

32 **MS TANYA SAMMONS:** That's—he went back and, yeah, reported it back to his foster mother  
33 after my foster mother and that's when I got the one hell of a beating that—

1 **MS BEATON:** That we spoke about before.

2 **MS TANYA SAMMONS:** Yeah.

3 **MS BEATON:** Then it says in your statement after that the second brother also began to sexually  
4 abuse you.

5 **MS TANYA SAMMONS:** Yeah.

6 **MS BEATON:** And the adopted brother who had assaulted, sexually assaulted Gina also abused  
7 you.

8 **MS TANYA SAMMONS:** Yes, that's correct.

9 **MS BEATON:** After that, the telling that you did the first time, did you ever tell anyone else  
10 again about the sexual abuse?

11 **MS TANYA SAMMONS:** I got close to. One of my health teachers. But no, pretty much no.

12 **MS BEATON:** At paragraph 34 of your statement it says that, as already mentioned, Alva had  
13 also told you both that she'd been abused by your two older foster brothers. And as we  
14 heard from her letters that she had put up with it in the hope that it would save the two of  
15 you from being abused. I wonder, Gina, if you could start reading for us again from  
16 paragraph 35.

17 **MS GINA SAMMONS:** "Later when we made a complaint to the Ombudsman I found out that  
18 Alva had—Alva's report—reported this abuse to CYFS in 1992 when she was no longer  
19 living at home. But I was back living at home and both Tanya and I were still in State care.  
20 She told them she had been sexually abused and that she was worried about us also being  
21 abused. My Social Welfare records state Alva indicated that, as she was allegedly abused  
22 sexually by our foster brothers, that she felt both Georgina and Tanya, myself and my  
23 sister, have also been. Georgina's behaviour, upon reflection, may indicate some past  
24 abuse. The abuse of me by our adopted brother was never resolved as the police appeared  
25 to think that Georgina had been a willing participant. Alva appears to think otherwise. We  
26 had no idea that Alva had made that report until I saw that file".

27 **MS BEATON:** When you saw that file, how did that make you feel? The fact that a social  
28 worker had recorded what Alva had said and hadn't spoken to either of you about it?

29 **MS GINA SAMMONS:** It just made me angry because they didn't come and ask us.

30 **MS BEATON:** Then at paragraph 37 you say that an interesting thing is that you developed  
31 epilepsy when you were about 10 or 11, often had epileptic fits but they stopped after you  
32 ran away.

33 **MS GINA SAMMONS:** As soon as I ran away from home I haven't had a seizure ever since.

34 **MS BEATON:** You put that down to the stress of living in the foster environment?

1 **MS GINA SAMMONS:** I do medical training at the moment.

2 **MS BEATON:** Yes.

3 **MS GINA SAMMONS:** And seizures that we studied on the causes that can cause it can also be  
4 from stress.

5 **MS BEATON:** Yes.

6 **MS GINA SAMMONS:** So that's what I put it down to.

7 **MS BEATON:** The next heading is the effect on your lives. If you could read, Gina, from  
8 paragraph 38 please.

9 **MS GINA SAMMONS:** We've both worked very hard to overcome our upbringing. We have  
10 jobs and families and I think we've both challenged—channeled our experiences into being  
11 motivated to help others. But the abuse we suffered has affected every part of our lives.

12 During our whole childhood we were not able to build any long-term friendships or  
13 connections. When we left care at 17 we had no connections to our biological family and  
14 culture, no support in how to become an adult. We had to find everything out to do  
15 everything ourselves.

16 Because of missing school, we have had to do courses as an adult to try and catch  
17 up on our education so that we can get jobs and make a living. Even now my spelling is  
18 still bad to the point I get laughed at by colleagues. We both struggle with reading. It has  
19 affected the jobs we can do. For example, I wanted to join the police and passed almost  
20 everything, but I couldn't pass the maths test, so I wasn't able to. This is on-going and we  
21 still have to face it every time we need to do another course to stay trained or to try and get  
22 more senior jobs.

23 We've had to try and build connections with our family and with our culture from  
24 scratch. I didn't meet my brothers on our mum's side until I was 18 years old. There are  
25 siblings on our dad's side who we only met two years ago when we were in our 40s.  
26 There's still some currently that we haven't even met. I'm doing night classes to try and  
27 learn te reo and about my culture and try and build those family relationships. Tanya, on  
28 the other hand, really struggles with making connection and stays more withdrawn and  
29 quite removed from the rest of the family".

30 **MS BEATON:** Can I just pause you there because I've got some questions to ask you about this  
31 evidence. Firstly, in relation to your disconnection from your whakapapa, your culture as  
32 Māori. Gina, from your perspective that's a very important issue for you.

33 **MS GINA SAMMONS:** Yeah.

34 **MS BEATON:** And you've explained that you're learning te reo. When you were children in

1 foster care, was there any effort made, do you remember, to ensure that you maintain ties  
2 with your whānau?

3 **MS GINA SAMMONS:** There was at one stage when we lived in Kaikohe, I did the kapa haka  
4 through school. But as soon as we moved out of that area then I no longer did it, it wasn't  
5 an option.

6 **MS BEATON:** Was it something your foster parents talked to you about?

7 **MS GINA SAMMONS:** No.

8 **MS BEATON:** Or considered important?

9 **MS GINA SAMMONS:** No, the only reason why I ended up doing it in Kaikohe was because  
10 when a social worker did come I had expressed that I wanted to learn it. And so the social  
11 worker had implemented for us to do it.

12 **MS BEATON:** Right.

13 **MS GINA SAMMONS:** So because they had done that our stepmother didn't have the choice, but  
14 then as soon as we moved out of that area, that choice was then taken away by that CYFS  
15 worker.

16 **MS BEATON:** Tanya, what about you, how do you feel about the disconnect from your culture?

17 **MS TANYA SAMMONS:** I find it hard to read English let alone Māori, or even learning at  
18 school was quite hard. So to me it has been really hard because I do want to know who  
19 my—where I come from and my history, but, yeah, it's—I just find it very difficult to connect  
20 to it.

21 **MS BEATON:** Hope, I hope you can hear me, but would you like to say anything about this  
22 issue?

23 **MS CURTIN:** Obviously I didn't get to connect with my family so that's been hard. Not knowing  
24 anyone.

25 **MS BEATON:** You're beginning to do that now as an adult?

26 **MS CURTIN:** I am, yeah.

27 **MS BEATON:** All right, you talked—we talked yesterday when we were preparing for today  
28 about this issue of abandonment.

29 **MS GINA SAMMONS:** Yeah.

30 **MS BEATON:** Can you tell us about your feelings about that?

31 **MS GINA SAMMONS:** For me there's probably four lots of abandonment. First our biological  
32 family, then our foster family. The only one that's stayed connected with us is our  
33 stepsister Sonja. Then CYFS themselves.

1 **MS BEATON:** Can you explain what you mean by that?

2 **MS GINA SAMMONS:** I was taken out of CYFS care at the age of 16 with a baby of my own to  
3 not have any family then apart from Tanya. There was no aunties, uncles, cousins, there  
4 was nothing. And then also the abandonment of the police for not doing their job.

5 **MS BEATON:** Thank you. Talk now please from paragraph 42 about other effects on both of  
6 you.

7 **MS GINA SAMMONS:** "We have had to try and build connections with our family and with our  
8 culture from scratch".

9 **MS BEATON:** I think we've read that one already Gina so 42.

10 **MS GINA SAMMONS:** "The abuse itself has also had an on-going impact on how we view  
11 ourselves and what we expect from family relationships. Both Tanya and I have been in  
12 abusive relationships as adults and also suffered effects—also affected our kids. When I  
13 was a really young mum I used to hit my kids too. When I got a bit older I realised that one  
14 day I might really hurt them and I had to stop. I don't hit my kids anymore, but I still  
15 struggle to control anger and the desire to be violent because that's how I was shown things  
16 should be dealt with.

17 **MS BEATON:** Gina, you then go on in that paragraph to talk about remembering that in some  
18 ways you weren't there for your children when they were little, sports games and things like  
19 that because you say "I didn't know that that was what a parent was supposed to do" and the  
20 statement says that Tanya was a bit older when she had her kids and, Tanya, you're  
21 described as being overly protective because of what you guys experienced.

22 **MS TANYA SAMMONS:** Oh yeah.

23 **MS BEATON:** Is that lack of understanding as young adults and young parents and lack of  
24 parenting skills something that you yourselves put down to your experiences in care?

25 **MS TANYA SAMMONS:** I personally do because I don't let—I mean I've got—one of my—my  
26 older son is—he was born with club feet, he got picked on a lot at school, so, yeah, mummy  
27 bear, don't pick on my children. He's also gay, so, you know, I've had to deal with that side  
28 of things as well. Yeah, I just don't put up with anybody doing that sort of behaviour  
29 towards my kids. Yeah, I'm sort of an overbearing mother. I try and live my kid's life.

30 **MS BEATON:** Thank you. Gina, do you want to add anything to that or should we move on?

31 **MS GINA SAMMONS:** Yeah, I was pretty much the same with school with my kids, if anyone  
32 picked on my kids at the school, I was the one going into school to drag the other kid or  
33 make sure there was some sort of reprimand for it. My kids used to always think, "Oh shit,

1 Mum's coming school." So yeah, it was pretty bad.

2 **MS BEATON:** You talk at paragraph 43 about having health impacts on you as well. And it says  
3 that Alva's way of coping was to develop alcohol and substance abuse at one point and then  
4 she got really sick from her—the undetected rheumatic fever, right?

5 **MS GINA SAMMONS:** Yeah.

6 **MS BEATON:** And couldn't look after her children as a result of her health.

7 **MS GINA SAMMONS:** It was a result of her health as well as our upbringing with her not being  
8 able to look after her kids, I don't think she knew how either.

9 **MS BEATON:**

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13 We've come to the point in your statement where we move from your accounts of  
14 what happened to you and your sister as children to talking about your individual  
15 experiences in trying to seek redress for yourselves and also for Alva and her children. Do  
16 we want to take a morning break?

17 **CHAIR:** I think we'll leave this to the witnesses. When I say witnesses, I mean to you two. We  
18 had a little break before. Normally we'd break now at 11.30. I'm going to ask you whether  
19 you'd like to take, say, 10 minutes or so now and come back and start the redress part, or  
20 would you like you're back here now to keep going. It's entirely in your hands.

21 **MS BEATON:** Happy to keep going?

22 **MS GINA SAMMONS:** Yeah.

23 **MS BEATON:** If and when you do need a break, coffee or whatever, you just please let us know,  
24 okay?

25 All right, we're at paragraph 45 of the statement, Gina. This is about under the  
26 heading of "Seeking redress". This is particularly in relation to your claim and initially in  
27 relation to retrieving records. So could you please start reading to us please from paragraph  
28 45.

29 **MS GINA SAMMONS:** "I first decided to look into making a claim after I read Alva's letters to  
30 me after her death. I was 24. One of Alva's letters said, "I can't believe nobody has  
31 investigated Whangārei social work". My reaction at that time was investigate for what?  
32 At that time and as the youngest, I didn't know what she meant—what they had done wrong.  
33 We'd known we were foster kids since we were young, but never really thought about how

1 that meant the Government was responsible to make sure we were safe. To find out what  
2 Alva meant, I went into Social Welfare office to request mine and Alva's files. It was easy  
3 to make the request but it took quite a while to receive the files. When I did receive them,  
4 there were lots of blacked out parts, including birth dates of my sisters, names and  
5 addresses of others. Sometimes large passages of files or letters were blanked out so it was  
6 quite difficult to go through them.

7 When I did see my records was that throughout our childhood there were notes on  
8 our files from social workers and some from other church members and teachers showing  
9 concerns about our well-being. This included concerns about us moving too much and  
10 having no stability and about our shabby appearance and our foster parents' financial  
11 management. There are notes regarding that our foster mother wanted to get paid our  
12 clothing allowance to pay off some of her debts. There were also records of both me and  
13 Alva reporting sexual abuse and concerns that we displayed behaviour consistent with  
14 abuse. One social worker acknowledged himself that the Department had not done a good  
15 job of looking after me.

16 There were other notes of social workers saying we seemed fine and happy when  
17 they visited. That didn't surprise me. I remember the social worker usually talked with us  
18 in front of our foster mother and we knew not to complain.

19 I was really surprised to see notes of social workers saying they had seen me when I  
20 was living on the streets, including when I was pregnant. In one file note the social worker  
21 recorded seeing me loitering on the street and described me as looking tired, pale and thin.  
22 I still can't fathom that our social worker who saw me on the street at 14 years old knew I  
23 had run away from home and still didn't stop to talk to me, ask me how I was or make sure  
24 I had somewhere safe to stay. Instead they just made a file.

25 Overall the files showed me that the Department did have some idea of what was  
26 going on and could have, they could have and should have done a better job of looking after  
27 us given what they did know.

28 My partner at the time also read the files. After reading them he told me that it  
29 wasn't right and that I should go to a lawyer. I took the files to a local law firm, Thomson  
30 Wilson, for advice.

31 The first thing my lawyer helped me do was make a complaint to the Police  
32 Complaints Authority in relation to the police investigation of my complaint about the  
33 sexual abuse I suffered from our adopted brother. I met with the Detective on 28 June and  
34 5 July 2005 to discuss my complaint. I asked him why no-one had even interviewed my

1 friends who had been witnesses.

2 On 15 September 2005 I had a phone call from the detective. He told me that he  
3 had interviewed my friend but that the evidence wasn't strong enough to go any further.  
4 After that my friend looked me up and I got in touch. She told me that the police had  
5 interviewed her but she had asked—he had asked her questions like if she could remember  
6 what colour shoes she was wearing. She couldn't because it was 15 years ago. But to me,  
7 remembering shoe colour and remembering seeing your best friend being abused was a  
8 very different thing.

9 The detective also explained to me that they were going to do—weren't going to do  
10 anything against the investigating officer because he had moved on with his life and he now  
11 had a senior job down in the South Island. Lucky for him.

12 This was confirmed in the letter from New Zealand Police on 29 September 2005.  
13 It divided my complaint in two parts. It said that my complaint to the police showed an  
14 uncaring, bad attitude regarding my disclosure and did not take them seriously was not  
15 upheld. I still can't understand that. To me, it is there in black and white on the police  
16 report where it says that he was loath to investigate juvenile sexual offending. He clearly  
17 didn't take it seriously.

18 The second part of my complaint was that there were deficiencies in the  
19 investigation by failing to interview the potential witnesses and failing to do a medical  
20 examination. This was upheld but it was recommended that no further action be taken  
21 because it was 15 years ago, there was a lack of any meaningful action that would have any  
22 relevance now for the police officer involved.

23 This makes me so angry. It seems so unfair that there's no consequences because of  
24 that investigating officer had moved on with his life. I don't have that luxury of just  
25 moving on with my life. The consequences for me were and continue to be huge. Again, I  
26 can't help but wonder if the attitude would have been the same if it was his daughter that  
27 this happened to".

28 **MS BEATON:** Gina, before we go on, can I ask you some questions about this. The letter that  
29 you got in September 2005 addresses your complaint that back at the time you went to the  
30 police when you were a teenager that they didn't take the complaint seriously and that there  
31 were deficiencies in the investigation. Do you remember, did the police in 2005, to your  
32 knowledge, actually reopen the investigation into your allegations?

33 **MS GINA SAMMONS:** Not to my knowledge.

1 **MS BEATON:** Other than speaking to your friend.

2 **MS GINA SAMMONS:** Other than speaking to the one person.

3 **MS BEATON:** Have you ever had any communication or information from the police since 2005  
4 about the complaint that you made?

5 **MS GINA SAMMONS:** No.

6 **MS BEATON:** Thank you. We move now please to paragraph 57 which is when you first met  
7 with Sonja Cooper in Wellington in relation to a claim for redress. I think that was—I'll just  
8 do this paragraph for you. I think that was 2005 your local lawyer referred you to Sonja?

9 **MS GINA SAMMONS:** Yeah.

10 **MS BEATON:** And in December 2006 Sonja Cooper and her firm filed a claim against the  
11 Ministry of Social Development on your behalf.

12 **MS GINA SAMMONS:** Yeah.

13 **MS BEATON:** If you could read to us please from paragraph 58.

14 **MS GINA SAMMONS:** "After that it seemed like nothing happened for years. I got lots of  
15 letters from my lawyer about legal aid and other things, but it was all just process and  
16 nothing substantial. I couldn't really understand what was going on. It just seemed like  
17 there was lots of money and time being spent on processes and I was getting nowhere  
18 except for racking up and growing legal aid debt, which I worried would affect the rest of  
19 my life.

20 In early 2012 more than five years after my claim was filed I was asked and agreed  
21 to do a meeting with MSD to try and settle the claim. I have seen from my file that I met  
22 with the care claim and resolution team on 2 May 2012.

23 I can't remember too much about that meeting. I think it was just with one social  
24 worker. I do remember talking about Alva. I always talk about her, because it is her that  
25 was my whole motivation for making this claim in the first place. I believe my lawyers  
26 gave them a copy of Alva's letters.

27 After that meeting I was sent some photos of us as children. I appreciated that.  
28 Those are the only photos I have of Alva other than one or two when we were adults. Other  
29 than that, I don't recall hearing anything from MSD for a long time.

30 In July 2012 my lawyers wrote to MSD on behalf with an offer to settle my claim.  
31 The letters outlined the abuse that I suffered, the concerns that had been raised throughout  
32 my childhood by social workers and teachers and others, the police complaint I had made  
33 and the response to it and the effects that the abuse and neglect had on my life. It also  
34 pointed out that I made this claim GRO-C and my nephew and

1 niece no longer had a mother.

2 In July 2013, a year after my lawyer had sent my offer, I received a response from  
3 Crown Law. The letter said they had reviewed my file and Alva's file and the files of our  
4 foster parents, they had interviewed two of the social workers and taken into account the  
5 meeting with me in 2012. It then made findings about my claim based on that  
6 investigation.

7 The findings said that MSD accepted that there were some breaches of duty and the  
8 practice failures in some areas, including that I was made to stay home from school and that  
9 I suffered from sustained neglect, that there was a failure to ensure we were properly  
10 clothed and that my foster mother misused my clothing money. MSD also accepted that it  
11 was a serious practice failure and a breach of duty that my adopted brother was allowed to  
12 return home after I made a police complaint about his abuse of me and also that the social  
13 workers failed to accept(sic) when they knew I was living on the streets. On the basis of  
14 these findings, MSD offered a payment of 28,000, payment of my legal aid debt, an  
15 apology, of(sic) counselling.

16 **MS BEATON:** I'll just pause you there, we're going to bring up a document now in the bundle  
17 document, page two of that document. In particular you talk in your statement, Gina, about  
18 a paragraph that stuck out to you about what MSD didn't accept at paragraph 6.1. Can you  
19 see that?

20 **MS GINA SAMMONS:** Yeah, if I dry my eyes.

21 **MS BEATON:** I'll read it for you. It says, "Ms Sammons alleges she was repeatedly  
22 psychologically and physically abused by her foster parents. The Ministry found  
23 insufficient evidence to accept allegations of physical and psychological abuse".

24 They also didn't accept your complaint that you were abused by your foster brother  
25 or that the fact that your foster parents constantly moved you around and you became  
26 disconnected with your culture, that MSD considered that those weren't in breach of any  
27 duty or requirement that they had to you.

28 **MS GINA SAMMONS:** Mmm.

29 **MS BEATON:** And then in paragraph 66 you say, "And even though MSD accepted that my  
30 adopted brother shouldn't have been allowed to live with me after my complaint against  
31 him, MSD found there was nothing wrong with the Department's investigation of my  
32 complaint".

33 How did that make you feel when you received that?

34 **MS GINA SAMMONS:** I have no faith in MSD and I have no faith in the justice system.

1 **MS BEATON:** In paragraph 67 you say, "They didn't even talk to anyone who might be able to  
2 corroborate what I was saying. For example, no-one talked to Tanya or your foster sisters  
3 or any of the other people in the care of your foster parents who would be able to talk about  
4 the abuse that you suffered in the household". You say, "Just like with my police  
5 complaint, I felt like I was being treated like a liar, even though no-one actually took the  
6 step of talking to anyone who might know". Is there anything else you want to add to that?

7 **MS GINA SAMMONS:** I'm not sure whether Tanya's claim had already been started by then.

8 **MS BEATON:** I don't think it had, no.

9 **MS GINA SAMMONS:** No. That's not until later.

10 **MS BEATON:** Yeah. Perhaps if you want to start reading again from paragraph 68, and if you  
11 think anything as you go, please just add it in.

12 **MS GINA SAMMONS:** "It seemed that the reason for not accepting that it happened was that it  
13 wasn't written there on file. To me, that seems ridiculous. Of course the psychological  
14 abuse and physical abuse wasn't written down by our social workers. We only occasionally  
15 had contact with social workers, usually together with our foster mother or even if we  
16 weren't with our foster parents we knew not to say anything bad or complain, or else we  
17 would get a beating. We had also been living with them since we were really young, just  
18 two and three, and we didn't know any different.

19 Most importantly, the letter from Crown Law didn't mention Alva at all and there  
20 was nothing to acknowledge the abuse she suffered and the failure of the Ministry to  
21 protect her which she carried with her, her whole life.

22 After I got that letter I got in touch with our foster sister, one of our foster father's  
23 daughter, who had also experienced abuse from our foster mother. She was happy to  
24 support my claim because she had suffered the same treatment. She made a statement for  
25 my lawyers. In 1994 she and the younger foster brother, my foster mother's son, had also  
26 documented their concerns about my foster mother and older foster brother, as my foster  
27 sister was worried about my nephew who was living with them and was trying to get  
28 custody of them—of him. She got a copy of their 1994 statements from the courts and also  
29 provided those to my lawyer. Those statements included evidence of our older foster  
30 brother's violence and the suspicions of sexual abuse. The younger foster brother's  
31 statement included that he believed that the older one had sexually abused us girls, because  
32 he remembered one of us making a complaint to him about it when we were younger".

33 **MS BEATON:** Just to clarify that, these statements that you're talking about that your foster sister  
34 obtained, they had been prepared completely independently of you and Tanya?

1 **MS GINA SAMMONS:** Yeah.

2 **MS BEATON:** For a different purpose in the Family Court?

3 **MS GINA SAMMONS:** Her sister had passed away from a brain tumour and our foster mother  
4 had her kids, so our other foster sister went to go for custody of those kids.

5 **MS BEATON:** And the statements you're talking about were made in relation to that?

6 **MS GINA SAMMONS:** To that court case. Paragraph 71?

7 **MS BEATON:** Yeah, but I might—Tanya, was it as a result of you seeing this response from MSD  
8 to Gina that there was insufficient evidence that you decided to go to Cooper Legal and talk  
9 about your own experience and make your own claim?

10 **MS TANYA SAMMONS:** Yeah. Yeah, I'd only just stopped doing a stop violence course  
11 myself, educational purposes, and I actually had one of their leaflets, which also stated that  
12 if you go through sexual, psychological—sexual, physical, it all stems to psychological. So  
13 when Gina told me that, I was so angry, it's in your own leaflet. You want people, you  
14 want these women to come forward because they've been abused, but yet you can't even  
15 accept that part in a legal precedent. So yeah, that's when I decided nah, I've got to step up  
16 and—yeah, because I sort of didn't actually want to go through all this side of things, but  
17 you've always got that one fight in your life that you have to do.

18 **MS BEATON:** We're going to talk about your particular experience with your claim later.

19 **MS TANYA SAMMONS:** Yeah.

20 **MS BEATON:** But Gina, if you could perhaps pick up from para 72.

21 **MS GINA SAMMONS:** "In October 2013 my lawyer wrote to Crown Law quoting from the new  
22 evidence Tanya and our foster sister about physical and psychological abuse they had  
23 experienced and/or witnessed in the household. It also attached a 1994 document from our  
24 foster siblings showing their concerns at that time. My lawyer summarised the other issues  
25 with their findings and highlighted that the offer failed to address Alva.

26 In November 2013 Crown Law responded. MSD didn't change any of their  
27 findings. They still maintained that there was insufficient evidence of physical and  
28 psychological abuse and said the additional statements do not assist the Ministry because  
29 they gave very little evidence of psychological(sic) abuse by our foster parents".

30 **MS BEATON:** I think, is that physical abuse in that sentence?

31 **MS GINA SAMMONS:** Physical abuse sorry.

32 "I can't understand what they were looking for. My foster sister's statement said  
33 that she remembered a time her father, our foster father, laid into her with an alkathene

1 pipe; another occasion when her father and stepmother had dragged her out of the car and  
2 laid into her, one at that(sic) time, open hand and closed fists".

3 **MS BEATON:** That's her biological father, correct, your foster father?

4 **MS GINA SAMMONS:** That's her biological father.

5 "She talked about her stepbrother, our foster brother, punching her in the mouth and  
6 knocking teeth loose and seeing her father punching Alva in the body until he got tired and  
7 picked up scissors to carry on with it until she intervened.

8 The letter from Crown Law also said that I had repeatedly told social workers that I  
9 was happy, even when they visited me at school and that this was also partly why they  
10 didn't accept I was abused. I don't know when they were referring to. I assume not when  
11 I ran away from home. I don't remember any occasion where a social worker talked to me  
12 for any length of time. But as mentioned, when I was younger I probably could have told  
13 them I was happy. We didn't know any different and I definitely didn't know any of the  
14 social workers well enough to talk about what had happened". There was no trust in any  
15 adult figure in our lives.

16 "In relation to Alva, the letter said that they wouldn't comment on the reason for her  
17 death, but they acknowledge the effect of her death on me and that was why they would  
18 help me access counselling. This missed the point completely and still makes me angry.  
19 Counselling for me doesn't take responsibility for their failure to look after Alva and it  
20 doesn't help her kids who have lost their mother.

21 After that, my case was set down for a judicial settlement conference to try and  
22 negotiate a settlement. Tanya and I wanted our cases and Alva's to be dealt with together  
23 as they were really all just one big claim. It would have been better if we could have had a  
24 meeting together, but I was told it had to be separate.

25 Before the conference, my lawyers were sent a letter that said it was inappropriate  
26 to deal with a remedy for Alva at the JSC [judicial settlement conference] because it was  
27 not before the court.

28 The JSC was a horrible experience for me. There was a whole side of the table  
29 lined with them, it must have been about six people, while on our side there was me, my  
30 lawyer, my foster sister who supported my claim. It was intimidating. At the meeting the  
31 people from MSD acknowledged that they had done a poor job and that they were  
32 apologetic. But the apologies felt empty and it felt like they didn't even know what they  
33 were apologising for. To me they did not seem to understand how much abusive  
34 upbringing(sic) had on my life and that they did not see that my sister had been unable to

1 cope with the pain. I was so upset and angry, I just remember sobbing

GRO-C

2 GRO-C

3 At the JSC, the MSD side acknowledged some physical abuse by my foster  
4 family(sic). They increased their offer by 4,000 to 32,000. I don't know how they decided  
5 how much the abuse is worth. My lawyers went back afterwards with a counter-offer of  
6 40,000, but MSD said that 32 was fair and did not accept our offer.

7 I thought 32 was a pretty low amount for how much it had affected me. I didn't  
8 want to accept but I didn't feel like I had a choice. I was told that if I didn't accept there  
9 was no good chance I would come out with nothing—there was a good chance I would come  
10 out with nothing for me or Alva. It had already been nine years. Reluctantly I accepted the  
11 offer on the basis that Tanya would be able to continue Alva's claim".

12 **MS BEATON:** Thank you Gina. I'm going to move now Tanya to talking about your claim and  
13 I'll ask you some questions rather than read that bit out. I just want to check with you  
14 whether you're happy to keep going?

15 **MS TANYA SAMMONS:** Yeah.

16 **MS BEATON:** So the statement says that Tanya says that when you left home as a teenager you  
17 went to live with your foster sister who was obviously a support for you.

18 **MS TANYA SAMMONS:** Yeah.

19 **MS BEATON:** And she encouraged you to have counselling through ACC for the abuse that  
20 you'd suffered as a kid.

21 **MS TANYA SAMMONS:** Yeah.

22 **MS BEATON:** And the statement says through that you felt that you'd dealt with the issues  
23 caused by your abuse and you weren't interested in originally in making a claim.

24 **MS TANYA SAMMONS:** Yeah.

25 **MS BEATON:** So was it after, like you said to us before, it was after you—Gina had told you  
26 about the response she had from MSD that there was insufficient evidence of psychological  
27 or physical abuse that you decided to make a claim?

28 **MS TANYA SAMMONS:** Yeah, yeah.

29 **MS BEATON:** And because there had been no recognition of Alva in the way that MSD had  
30 settled the claim with your sister Gina?

31 **MS TANYA SAMMONS:** Yeah, that's correct. I just felt if they're going to put something like  
32 that in black and white in one of their own leaflets they actually need to follow through  
33 themselves.

1 **MS BEATON:** So you contacted Cooper Legal, the law firm, in about August 2013 and I think  
2 they requested your CYFS files and they interviewed you, like a preliminary interview.

3 **MS TANYA SAMMONS:** Yeah. Yeah, I'd also requested my files as well.

4 **MS BEATON:** Yes. And they arrived and they came with a lot of blacked out or redacted  
5 sections, is that right?

6 **MS TANYA SAMMONS:** Yeah, and missing pages as well.

7 **MS BEATON:** And missing pages. I think we're going to show an example so the  
8 Commissioners can see what the file looked like. So you got a file of 90 pages and 45 of  
9 them were completely blanked out with a cross like that?

10 **MS TANYA SAMMONS:** Yeah.

11 **MS BEATON:** How did that make you feel?

12 **MS TANYA SAMMONS:** I thought it was very strange because I have no idea what was on  
13 those letters. There was some parts, if it was like due to somebody else's information, I had  
14 information from Alva on my file, I had some information from Gina on my file, and I don't  
15 know what my life was growing up, I can't see what the social workers had written, I can't  
16 see what church members had written. Yeah, it was pretty much a blank file of my life.

17 **MS BEATON:** In the statement you refer also to there being some inconsistencies like, for  
18 example, birth dates of your sisters were blanked out –

19 **MS TANYA SAMMONS:** Yeah.

20 **MS BEATON:** – from the records that you received but then other personal information to them  
21 was included?

22 **MS TANYA SAMMONS:** Yeah.

23 **MS GINA SAMMONS:** I'd just like to add to that; mine was the same.

24 **MS BEATON:** Yes.

25 **MS GINA SAMMONS:** Mine didn't have redacted on it. Mine were just coloured-in in black, so  
26 it was just inked out, and it would be paragraphs on each page and you might get maybe a  
27 sentence of either I would get Tanya's information or Alva's information in my file.

28 **MS BEATON:** Did MSD, do you recall, ever ask either of you whether you would be happy or  
29 would consent to having your own personal information disclosed to each other in their  
30 files?

31 **MS TANYA SAMMONS:** No.

32 **MS GINA SAMMONS:** No.

33 **MS BEATON:** So continuing from the statement, Tanya, in relation to your claim, in April 2014  
34 your lawyers wrote a really lengthy 39 page letter to MSD setting out your claim and all of

1 the evidence that supported it and making a settlement offer?

2 **MS TANYA SAMMONS:** Yeah.

3 **MS BEATON:** And then it says paragraph 88 you don't remember hearing anything for a long  
4 time after that.

5 **MS TANYA SAMMONS:** Yeah, very long time.

6 **MS BEATON:** Then on 16 September 2016 you got a letter from MSD with an offer of engaging  
7 in the Fast Track Process.

8 **MS TANYA SAMMONS:** Yeah.

9 **MS BEATON:** What was the offer?

10 **MS TANYA SAMMONS:** I think it was 20,000.

11 **MS BEATON:** And a release from any legal aid debt, do you remember that?

12 **MS TANYA SAMMONS:** Yeah.

13 **MS BEATON:** And a letter from the Ministry that would acknowledge and apologise for your  
14 experiences in care?

15 **MS TANYA SAMMONS:** Yeah.

16 **MS BEATON:** And I'll just read from paragraph 89, "The letter said that in preparing the offer,  
17 MSD had not carried out a full review of the records or a detailed assessment of the claims,  
18 but had 'accepted the information provided about the claimants' experiences'."

19 **MS TANYA SAMMONS:** Yeah.

20 **MS BEATON:** How did you feel about that?

21 **MS TANYA SAMMONS:** A bit of a kick in the arse, actually, to be honest. I mean, me and  
22 Gina sort of hadn't really, like she hadn't quite disclosed on what she was offered. I did call  
23 her and talk to her about it and, yeah, that's when I sort of got told. But it was more the fact  
24 that to me that they haven't even looked into my file itself. I know there's not much in there  
25 that they would find. But I would never accept an apology from anybody if they don't  
26 know what our experience and dig deep and finding out what actually happened, what they  
27 did. So to me that would be just an empty apology.

28 **MS GINA SAMMONS:** Not only that, it's where they say that they accept the information.

29 **MS TANYA SAMMONS:** Yeah.

30 **MS GINA SAMMONS:** But yet so much of mine they wouldn't accept. And then to give her an  
31 offer way less than mine, how is that any different? The abuse is no different. So why  
32 should it be any less?

33 **MS BEATON:** And the offer still didn't address Alva.

34 **MS GINA SAMMONS:** No.

1 **MS TANYA SAMMONS:** No.

2 **MS BEATON:** So I think you discussed with Gina about what to do about this offer?

3 **MS TANYA SAMMONS:** Yeah.

4 **MS BEATON:** And what did you decide to do?

5 **MS TANYA SAMMONS:** I turned it down. It wasn't basically about money for me, it never has  
6 been. But because they didn't mention Alva at all either and, yeah, I just thought well this  
7 is just—and their apology side of things just—it's just empty.

8 **MS BEATON:** Now paragraph 94 states that on 31 October, after rejecting the offer, sorry, on 31  
9 October 2018 you were told, Tanya, that your case had been allocated for assessment and  
10 then in October 2019, so nearly a year ago, your lawyer was told that your claim was at its  
11 final stages?

12 **MS TANYA SAMMONS:** Yeah.

13 **MS BEATON:** Have you heard anything since then?

14 **MS TANYA SAMMONS:** No. I have had one letter for Alva that they were happy to sit down  
15 and discuss with us, and give the whānau an apology letter. But that as far as they will go.

16 **MS BEATON:** Nothing yet in relation to your personal claim?

17 **MS TANYA SAMMONS:** No.

18 **MS BEATON:** All right, thank you, Tanya. I wonder, Gina, if you could continue. We're  
19 moving now to talking about Alva's claim. Paragraph 96.

20 **MS GINA SAMMONS:** As we've already said, the first purpose of all of this was for Alva.  
21 When it became clear that MSD wouldn't acknowledge Alva within my claim, my lawyers  
22 tried to talk to MSD about how a separate claim could be made.

23 We are aware that our lawyers had a lot of correspondence with MSD to see  
24 whether they would recognise a claim. In the end, MSD said no. Because Alva had died,  
25 they said MSD would not now recognise the claim. The Ministry said that only the person  
26 who was in care could make a claim and that where a person did not set out their concerns  
27 during their life time, it would not be possible to accept any claim for the representative of  
28 their estate or any other person. It later reiterated:

29 'The Ministry is willing to consider claims made by people who were in the care of  
30 the Ministry or its predecessors with the express aim of recognising and acknowledging  
31 mistakes and wrongs that may have occurred in their care. The whole point is to provide  
32 the person who was in care with recognition of what is accepted may have happened to  
33 them and some acknowledgment through an apology and payment of money to assist their  
34 efforts to heal and move on. The payment is not compensation and certainly no-one other

1 than the person who was in care has any basis for this claim'.

2 Our lawyers pointed out the failures that the Ministry accepted in my case were all  
3 documented on our files and many of them applied equally to Alva. They also pointed out  
4 that Alva did set out concerns during her lifetime when she came to CYFS to raise her  
5 concerns about her abuse in 1992. However, the Ministry said that the complaint as  
6 recorded on file did not meet our criteria for accepting a claim.

7 To us, this still just makes no sense to treat Alva differently. Alva was in the same  
8 home as us and, if anything, had it worse, as she was sent to boarding schools and we don't  
9 know where they were or what she went through there. For my claim, the only things they  
10 accepted were things where there was documented evidence on the files and those  
11 documents exist for Alva too. There are documented concerns from social workers in 1988  
12 about her relation[ship] with our foster brother and that she exhibited signs of possible  
13 abuse. She herself came to CYFS in 1992 to tell them about the abuse and that is recorded.

14 After MSD refused the claim, our lawyers made a complaint on our behalf to the  
15 Ombudsman about MSD's approach. Our complaint was made on 1 April 2014 but it took  
16 over two years to get a final response. We have seen on my file that our lawyers received a  
17 provisional response on 27 July 2015 and then a final decision was finally issued on 14  
18 June 2016. The Ombudsman said that Alva's approach to CYFS in 1992 should be treated  
19 like a claim. If someone made those complaints today, you would expect them to be  
20 directed to the claim process but there wasn't one in 1992. She did what she could, but  
21 wasn't supported. So the Ombudsman said that Alva's claim should be investigated in the  
22 usual way by MSD's historic claim team.

23 We thought this would mean that MSD would look at Alva's claim. But MSD did  
24 not respond for some time, and ultimately did not accept the recommendations. We were  
25 told that the Ombudsman would write again to the Chief Executive in 2017 but MSD still  
26 did not follow the recommendations.

27 Sometime in 2018, we also participated in a consultation with MSD. MSD wanted  
28 our feedback about how to make their claim process better. We raised Alva's claim—Alva's  
29 case there and said that we should be able to make the claim for her and for her kids.

30 In April 2018 our lawyer wrote again to MSD to ask for a fresh consideration of the  
31 matter, in light of new Government policies for MSD. Again, we didn't get a response for  
32 some time.

33 On 7 November 2019, MSD wrote to the lawyers saying that they are still not able  
34 to accept a claim on behalf of Alva at this stage but that they could acknowledge the shared

1 experience of the Sammons siblings in their response to Tanya's claim. They also said that  
2 they could write a letter of apology to Alva's whānau, if this apology is sought please let us  
3 know who the letter should be addressed to.

4 Acknowledging our experiences and writing an apology doesn't help Alva's kids  
5 who were left with nothing, no mum, no support, because of the effects that the abuse and  
6 the neglect had on Alva. This has had and continues to have effects on them and they need  
7 to be looked after as well as Alva's grandkids. We believe they need financial and material  
8 support to recognise the harm that has been caused to them because of the harm caused to  
9 Alva.

10 Sometime in 2018 we participated in a consultation on how to make the MSD claim  
11 process better. We found it frustrating that we were giving up our time and again retelling  
12 our story to other people who were getting paid to be there. But we wanted to participate to  
13 help make sure that things are changed in the future.

14 On 27 May 2019 MSD wrote to us with feedback from the consultation. The letter  
15 says that based on our feedback, changes included, 'streamlining the assessment process so  
16 where possible we assess claims without investigating fully each of the claimant's  
17 concerns'. This just seemed exactly like how they approached Tanya's Fast Track claim.  
18 We don't think this is a good approach. If they don't investigate someone's concerns how  
19 can they know properly what they are apologising for and, most importantly, how can they  
20 make sure changes are made so that the same thing doesn't happen again?"

21 **MS BEATON:** Thank you Gina. I'm going to stop you there, because we're now going to get  
22 Hope to read to us a letter that you wrote, Hope, to the Commission in March of this year.  
23 You've got that in front of you, have you?

24 **MS CURTIN:** I do.

25 **MS BEATON:** Okay. You just read that in your own time, Hope, just bearing in mind we have to  
26 go reasonably slowly so that people can keep up with you, okay?

27 **MS CURTIN:** Okay.

28 **MS BEATON:** All right, thank you.

29 **MS CURTIN:** "My name is Hope Curtin and I live in Ōāmaru, I am 24", which I would like to  
30 add I am now 25. "Alva Sammons was my mother. As you will have heard, my mum  
31 [died] when she was 26, GRO-C she still held so much pain from her childhood. I was five  
32 years old. I don't have any memories of my mother before that time. I have been told by  
33 my grandparents that I lived with her until I was two", which I would like to also add that I  
34 was younger than her.

1 **MS BEATON:** Just pause there Hope, I'm really sorry, I know this is hard, but we're just going a  
2 wee bit fast. Sorry about that, just try and speak a little bit more slowly, thank you.

3 **MS CURTIN:** Yeah. "My grandparents told me that she used to go on about her childhood, how  
4 she had to steal food for her siblings and how even then she was still scared of a particular  
5 man who was going to come after her. There were times she couldn't go out because she  
6 was terrified. Eventually she felt she couldn't do it anymore and she dropped me with my  
7 grandparents and I lived with my dad after that".

8 **MS BEATON:** Okay, just a bit more slowly if you can Hope, I know it's really tricky, thanks.

9 **MS CURTIN:** "My grandmother and my dad said mum was the most beautiful soul and she cared  
10 for everyone around her and, most of all, cared for and loved me. But she was lost, she had  
11 had such a rough life and carried so much pain with her that she couldn't live a normal life.  
12 The abuse that she suffered had affected her ability to look after me, even though she loved  
13 and cared about me".

14 **MS BEATON:** Just pause there, just take a breath.

15 **MS CURTIN:** Yeah.

16 **MS BEATON:** All right.

17 **MS CURTIN:** "It's extremely hard to explain how hard it is to lose a mum at such a young age  
18 due to something so horrific as what my mum and her sisters went through. The outcome  
19 from the abuse that she suffered is that a young girl lost her mum and now my two beautiful  
20 children will never know their grandmother.

21 Through my life I've had to go through things a girl shouldn't have to go through  
22 without their mum. I was extremely grateful that I had my dad, although he obviously  
23 didn't have the understanding a mum would.

24 I would like to add just an example of not having my mum through the birth of both  
25 of my children, or when I went through my own struggle of an abusive relationship, which  
26 was a very hard time in my life".

27 **MS BEATON:** Thank you.

28 **MS CURTIN:** "I have also not had the chance to know my own family. I had no connection with  
29 my mum's side at all and my dad knew my mum's sister's name and that was it". And  
30 I want to add also that my dad had two last names for my mum, so tracking them down was  
31 hard, having to search by both names.

32 I had no contact with any of them prior to that. I only started finding out about my  
33 mum's side of the family when I was a teenager. So we were eventually able to get in touch  
34 with them. I didn't know I had a brother. I only met him for the first time last year. He

1 didn't know anything about our mum and he also still doesn't know who his father is. I still  
2 know very little about that side of the family and my mum's extended biological family,  
3 and there is a lot of family I have never had the chance to meet or get to know. I know  
4 nothing of our Māori heritage and I am only just starting to come to terms with everything  
5 now and find out where I come from.

6 I still have so many unanswered questions about what my mum's life was like or  
7 what happened to her and my mum made a complaint about the abuse in 1992, why was  
8 nothing ever done? I would like to have those questions answered and I would also like the  
9 Government to acknowledge their role in what happened to her. They were responsible for  
10 her when she was just a kid and what she went through then affected her whole life and  
11 mine.

12 Most of all, it sickens me to think of the pain and sadness my mum must have felt  
13 all those years ago. The abuse affected her life to the point where she felt she couldn't stick  
14 around and be a mum. So it's also affected me and everyone else around her that loved her.

15 I carry my mum's pain with me and I feel responsible for getting closure. I think we  
16 deserve closure and for our claim to go ahead so that somebody can look properly at what  
17 happened to my mum and acknowledge how she was failed by people who were supposed  
18 to care for her and protect her, and also how that impacted me and my brother. Just  
19 because my mum has passed on, doesn't mean I don't need and deserve the closure that my  
20 mum should have gotten.

21 My mum will always be in my heart and she will always be in my two baby's hearts  
22 and I will fight for my mum's claim until there's nothing more I can do".

23 **MS BEATON:** Thank you, Hope. We're at the point now in your statement, Gina, Tanya and  
24 Hope, that where you've recorded some overall comments that you want to make to the  
25 Commissioners about the processes that you've been involved in.

26 **MS GINA SAMMONS:** Can I just take a break here?

27 **MS BEATON:** Yes, you can. Can we do that now?

28 **CHAIR:** Yes, certainly, we can take a break.

29 **Adjournment from 12.22 pm to 12.41 pm**

30 **CHAIR:** Yes Ms Beaton.

31 **MS BEATON:** Gina, Tanya and Hope, we are at page 24 of your statement and under the heading  
32 of "Overall comments" and, as we talked about before, rather than getting you to read that  
33 out, Gina, I might just ask you a couple of specific questions that the three of you can  
34 comment on. And one of them is at paragraph 109, you say that this process of redress

1 through MSD has been really stressful and you particularly refer to having to tell and retell  
2 your story over time and to many people. Can you expand on that? Anything else you'd  
3 like to say about that?

4 **MS GINA SAMMONS:** I think the hardest thing is even though we lived that as kids, it's like  
5 we're continuously having to relive it. And now as adults it's like this has been our life for  
6 21 years, nah, 44 years. It's been a long road and it's like when's it ever going to end.

7 **MS TANYA SAMMONS:** Yeah, when's that justice going to come in for us, yeah.

8 **MS BEATON:** At paragraph 110 of the statement you said, Gina, that you don't believe you've  
9 been treated with any empathy by MSD.

10 **MS GINA SAMMONS:** No. When we had the meeting with MSD in Wellington and they all sat  
11 across the table their apology felt like there was no empathy there at all. And even to these  
12 Fast Track things that they talk about with not even looking into the files to see what they're  
13 even apologising for, it seems like there's no empathy there either. I mean how can they  
14 apologise for something if they don't even know what they're apologising for if they haven't  
15 read it or got the information to even know what they're apologising for?

16 **MS BEATON:** Then there's the issue, and we've already talked about this during your evidence  
17 this morning, about what is accepted as evidence or proof to establish something. You've  
18 told us about Tanya's getting on board with making her own claim and your foster sister as  
19 well. Paragraph 112 you say, "In our view only accepting what is written on the file is not  
20 enough" and in your case you've talked about the fact that the two of you have both talked  
21 today about the fact that you weren't going to make complaints when you were children to  
22 social workers or teachers. How do you feel about the fact that because there were positive  
23 comments recorded in your files that the girls seemed happy and didn't make any  
24 complaints, how does that make you feel as part of this redress process?

25 **MS GINA SAMMONS:** Can I be blunt?

26 **MS BEATON:** Yes.

27 **MS GINA SAMMONS:** The way I see it in reading that and comments made by CYFS workers,  
28 the only thing that goes through my head is they don't know shit and in order to see the  
29 abuse, they had to live it. Telling them and writing it on a document doesn't give them  
30 evidence. So for a social worker to put that in writing back then when we couldn't even tell  
31 them because we didn't know them or we had no bond with them, to us it was like telling  
32 another stranger, another adult that we had no trust in. We didn't know whether that  
33 information would go back to our foster parents and we'd just get another hiding and once  
34 again nothing would happen. And continuously through our lives, or since I was a teenager

1 and the abuse first came out, there's been no justice from any adult figure from the CYFS  
2 workers to the police to MSD to—there's been nothing.

3 **MS BEATON:** You've talked to me previously before the hearing today about this situation of the  
4 floodgates opening if MSD were to consider a claim by Alva. Can you tell the  
5 Commissioners how you feel about that?

6 **MS GINA SAMMONS:** The only way that I see it is that they refuse to accept Alva's claim  
7 because of being deceased, because if they did accept it, it would only up a whole floodgate

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9

10 So even though the evidence from what we say, from what our foster sister says, our  
11 foster brother, the evidence of the abuse that happened within their home in order for Alva  
12 to not be able to handle it, and I mean for Alva being the oldest, it's not only the abuse in  
13 our foster home that she remembered, she remembered our biological home.

14 So the abuse was even worse for her. And then for MSD not to accept that because  
15 she's deceased, it not only affected her, it then caused a ripple effect, she's got kids that she  
16 left behind that then affected them.

17 **MS TANYA SAMMONS:** And bear in mind she didn't actually have her children at that stage.

18 So if they took her complaint seriously back then, one, we should have been removed from  
19 that house, or been interviewed or anything like that afterwards, and sorted counselling for  
20 her at that time. She may still have had her children. So I think that's probably the hardest  
21 part for me, is they didn't do anything.

22 **MS GINA SAMMONS:** I think it's a continuously thinking, the could-have, would-have, should-  
23 have that could have happened, should have happened and could have made a change.  
24 She could still be here.

25 **MS BEATON:** Thank you both. Gina, just finally, you and Tanya thought hard about some  
26 recommendations that you want to make to the Commissioners. That's at paragraph 116 of  
27 your statement. Gina, I wonder if you could read that to us please.

28 **MS GINA SAMMONS:** "We know that sometimes it is necessary to uplift kids, but we really  
29 want to know that the things we experienced will change. We know kids currently under  
30 State care are under the watch of Oranga Tamariki who are not getting the support they  
31 need. In our opinion, the Government needs to make sure that social workers have built an  
32 on-going and trusting relationship with the kids themselves so that the kids would trust  
33 them enough to tell them what is going on. And so the adults would notice changes in them  
34 that might indicate that something is not right. For example, a social worker or an adult

1 with that role should be meeting their kids regularly and doing activities with them or a  
2 group of kids. This could help develop the trust and bond between them and also  
3 relationships with other kids in care who they might also disclose things to. This is how  
4 abuse, of kids who might not know any differently, can be better detected.

5 We also think that the Government should employ people who have lived  
6 experiences of State care. We could have the ability to connect with or relate to the kids  
7 better because of the shared experiences. I for one would love a job where I was able to  
8 pick up a group of kids and take them places, establish a bond with them and look out for  
9 their well-being. That's essentially what I do now in working with child care.

10 I also think that the Royal Commission needs to look at what happens to kids when  
11 they stop being in State care. I know that now kids in care can get some support to the age  
12 of 21, but even that is hard. Kids that age still need support to make sure they get an  
13 education, get a job and have support to try and set them up a stable adult life. Would any  
14 person here put their child out on the street at age 17 or even 21 with no support for the rest  
15 of their life, as we were? For kids in State care, the Government is their parent, often it is  
16 the only place they can turn to for support. Even adult kids need help from their parents to  
17 set themselves up. When kids have some kind of abuse in their care, they will need even  
18 more support once they have left care to come to terms with the abuse and address the  
19 effects of that abuse. But instead the support just gets switched off.

20 In terms of the claims process, it needs to be completely reviewed. Families should  
21 be able to make claims together to save us all having to tell our story so many times. We  
22 need to be treated with empathy and not made to feel like liars. And MSD needs to  
23 investigate claims so that they know what they are apologising for and can make sure it  
24 doesn't happen again.

25 We would also like to see a solution offered by Government recognising the  
26 on-going effects of the harm on people that have been abused and on the next generation. It  
27 should include help to get us set up, to help fix the lack of education and build the  
28 connections of cultural knowledge that were lost to us and to help us into secure housing  
29 and the support needs to be something we can come back to when needed, as these things  
30 are continuous. For example, I finally was able to complete a paramedic course and now,  
31 because of the change in the Government requirements, I have been required to do another  
32 one. The course costs nearly \$3,000. If my partner hadn't been able to pay for it for me,  
33 I wouldn't have been able to do it.

34 For someone like Alva, who can no longer take advantage of that kind of support,

1 her kids should get the same support, getting themselves set up to make up for the fact that  
2 they don't have a mother to do it and to help break the cycle that was started with the abuse  
3 she suffered in care".

4 **MS BEATON:** Thank you Gina. Is there anything else, Gina or Tanya, that you want to say at  
5 this point?

6 **MS TANYA SAMMONS:** No, that pretty much sums up.

7 **MS BEATON:** Okay, thank you. Hope, was there anything else you'd like to add?

8 **MS CURTIN:** I've just been trying to think. I just don't know what to say. I think it's had more  
9 of an effect on my life than I can actually say, especially through my teenage years of not  
10 having a mum and rebelling myself because of that. And then also taking – going with my  
11 abusive ex, I think that's more I found comfort there and I stayed because I didn't want to be  
12 alone and didn't have my mum there to kind of go to for that.

13 **MS BEATON:** Thank you. Commissioners, that's all the questions that I have for Gina, Tanya  
14 and Hope.

15 **CHAIR:** Thank you. I believe Commissioner Erueti has some questions.

16 **COMMISSIONER ERUETI:** Kia ora, kia ora koutou.

17 **MS GINA SAMMONS:** Kia ora Andrew.

18 **COMMISSIONER ERUETI:** Kā nui te mihi ki ā koutou katoa. So I just wanted to—I'm Anaru  
19 Erueti, one of the Commissioners. I just had some brief questions, I know it's been a long  
20 morning for all of you, but I know from your testimony here, Gina and Tanya, particularly  
21 you, Gina, with your journey, that te reo Māori and your Māori identity, your whakapapa's  
22 important to both of you. And I wondered to what extent you saw that reflected in the  
23 MSD claims process, recognition of your Māoriness through that process?

24 **MS GINA SAMMONS:** For me there was no recognition of re reo through the whole process and  
25 the only knowledge that I can recall the first time where someone recognised or even  
26 expressed anything with tikanga or te reo was when I first met you and had our one-on-one.  
27 But with the MSD there was no cultural connections there at all.

28 **MS TANYA SAMMONS:** I had nothing with MSD at all.

29 **COMMISSIONER ERUETI:** It's also clear from your evidence today that bringing your claim  
30 as a collective, as a whānau is important to you as a group. And including Alva as part of  
31 that and recognising her mana.

32 **MS GINA SAMMONS:** Yeah.

33 **COMMISSIONER ERUETI:** And I just wanted to know what the impact of the inability to be  
34 able to advance your claims collectively together through this process, how that's impacted

1 on you all, how you feel about that.

2 **MS GINA SAMMONS:** I think for me it's—which has driven me to keep this continuing and to  
3 keep fighting it, is because it's like her mana's disrespected. Even though she's deceased,  
4 her mana still continues through her daughter. And for it to be not recognised by MSD, it's  
5 one thing I find really hard to accept, and probably will never accept.

6 **COMMISSIONER ERUETI:** Kia ora.

7 **COMMISSIONER ALOFIVAE:** Simply to say thank you so much for the honesty and the  
8 courage that you continue to show in coming forward and caring for our nation the way that  
9 you do through your whānau. Thank you.

10 **CHAIR:** I have nothing further to say other than to echo that and I'll just leave it to Dr Erueti to  
11 finalise.

12 **COMMISSIONER ERUETI:** Anei mātou te Kōmihana, tēnei te mihi nui ki ā koutou katoa, kia  
13 kōrua. Ki ā koe e Hope, te irāmutu o te whānau, ngā tangata tāne. Tēnei te mihi nui ki ā  
14 koutou katoa. Kei to maumaharatia te tuakana o te whānau, Alva, tenei te mihi nui ki ā ia.  
15 Te mihi nui ki a koutou o koutou whakaaro, koutou Reo, koutou tikanga, o koutou mana.  
16 Nā reira, tēnā koutou katoa.

17 [On behalf of the Commission I would like to extend our appreciation to you both.  
18 Hope, the niece of the family, and also the support from your partners. Thanks so much. I  
19 would also like to acknowledge your eldest sibling Alva. Again, heartfelt thanks for your  
20 sharing your accounts with us here today.]

21 On behalf of the Commission I just want to express our gratitude to wāhine toa  
22 coming and speaking about your experience. It's essential that we learn about what has  
23 happened in foster homes and your care for tamariki who have been in CYFS care. It's  
24 essential that we learn also about your experience too in dealing with the claims process  
25 and having that detail and that information, and we know from all of the experiences with  
26 private sessions, how much courage it takes to come forward and to tell that, speak about  
27 that experience, so we want to acknowledge that and your persistence and your journey and  
28 that has brought you here and that has informed us and enlightened us and given us new  
29 insights.

30 So I just want to express that gratitude to you and recognise Alva and your tāne here  
31 who is supporting you and also Hope down there in Oamaru with little Aubrey, the  
32 mokopuna. It's been lovely watching you nursing Aubrey there and having a little moe on  
33 your shoulder, it's kept us strong through this. So I want to express my gratitude on behalf  
34 of the Commission, thank you very much, kia ora.

1 **CHAIR:** Thank you. We will now take a lunch adjournment and we will resume again at 2.15.

2 Thank you.

3 **Lunch adjournment from 1.00 pm to 2.20 pm**